

08/10/01

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File by filing original, c-i-p, continuation and divisional.

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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|   |   |  |
|---|---|--|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><small>(Only) for new nonprovisional applications under<br/>37 CFR 1.53(b)</small> | <b>Attorney Docket No.</b> X12383N                    |  |
|   | <b>First Named Inventor or Application Identifier</b> |  |
|   | Hoffmann, James A., Lu, Jirong                        |  |
|   | <b>Express Mail Label No.</b><br>EM564070246US        |  |

11017 U.S. PTO  
09/22/98

08/10/01

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|--|---|
| <b>Application Elements</b><br>See MPEP chapter 600 concerning utility patent application contents.  | <b>ADDRESS TO:</b> Assistant Commissioner for Patents<br>Box Patent Application<br>Washington, DC 20231   |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)   | 6. <input type="checkbox"/> Microfiche Computer Program (Appendix)  |
| 2. <input checked="" type="checkbox"/> Specification [Total 90 Pages]<br>(preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claims</li><li>- Abstract of the Disclosure</li></ul> | 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Computer Readable Copy</li><li>b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</li></ul> |
| 3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <input type="checkbox"/> ]   | <b>ACCOMPANYING APPLICATION PARTS</b>   |
| 4. <input type="checkbox"/> Oath or Declaration [Total Pages <input type="checkbox"/> ]  |   |
| <input type="checkbox"/> Newly executed (original or copy)   |   |
| <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]  |   |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  | 8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))   |
| 5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.   | 9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney   |
|  | 10. <input type="checkbox"/> English Translation Document (if applicable)   |
|  | 11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations   |
|  | 12. <input checked="" type="checkbox"/> Preliminary Amendment   |
|  | 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  |
|  | 14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired   |
|  | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)  |
|  | 16. <input checked="" type="checkbox"/> Other: Submission of Claims 62-91 in International Application No. PCT/US99/16031; and Petition to Make Special Under 37 C.F.R. §1.102(d) - Statement Alleging Infringement   |

|   |   |
|---|---|
| 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  |   |
| <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: | 09/744,431 filed 01/22/01 which is the National Phase Application of PCT/US99/16031 filed July 15, 1999 which claims the benefit of Provisional Applications 60/093,906 filed July 23, 1998; 60/094,611 filed July 30, 1998; 60/094,767 filed July 31, 1998; 60/098,711 filed Sept. 1, 1998; and 60/100,696 filed September 17, 1998. |

|   |  |              |              |              |                              |
|---|--|--------------|--------------|--------------|------------------------------|
| 18. CORRESPONDENCE ADDRESS  |  |              |              |              |                              |
| Customer Number or Bar Code Label   |  |              | or           |              | Correspondence address below |
| Eli Lilly and Company   |  |              |              |              |                              |
| Lilly Corporate Center  |  |              |              |              |                              |
| Patent Division DC: 1104  |  |              |              |              |                              |
| CITY  |  | Indianapolis | STATE        | Indiana      | ZIP CODE 46285               |
| COUNTRY   |  | U.S.A.       | TELEPHONE    | 317-277-8110 | FAX 317-276-3861             |
| SUBMITTED BY  |  |              |              |              | Complete (if applicable)     |
| Typed or Printed Name   |  |              |              |              | Reg. Number                  |
| James J. Kelley   |  |              |              |              | 41,888                       |
| Signature   |  |              |              |              | Date                         |
| James J. Kelley   |  |              |              |              | 9 August 2001                |
| "Express Mail" mailing label number   |  |              |              |              |                              |
| Date of Deposit   |  |              |              |              |                              |
| EM564070246US Aug 10, 2001  |  |              |              |              |                              |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 |  |              |              |              |                              |
| Printed Name  |  |              | Signature    |              |                              |
| QUEEN THOMAS  |  |              | Queen Thomas |              |                              |

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PTO/SB/17 (12/97)

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## FEE TRANSMITTAL

Note: Effective November 10, 1997.

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$710.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

05-0840

Deposit Account Name

Eli Lilly and Company

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:

☐

Check

☐

Money Order

☐

Other

## FEE CALCULATION

## FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     | 710      |
| 106            | 320             | 206            | 160             | Design filing fee      |          |
| 109            | 490             | 207            | 245             | Plant filing fee       |          |
| 114            | 710             | 208            | 355             | Reissue filing fee     |          |
| 114            | 150             | 214            | 75              | Provisional filing fee |          |

SUBTOTAL (1) (\$710)

| 2. CLAIMS                              | Extr a | Fee from below | Fee Paid  |
|--|--------|----------------|-----------|
| Total Claims                           | 12     | -20**= 0       | X 18 = 0  |
| Independent Claims                     | 1      | -3**= 0        | X 80 = 0  |
| Multiple Dependent Claims (first time) |        | 0              | X 270 = 0 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                  |
| 102            | 80              | 202            | 39              | Independent claims in excess of 3                       |
| 104            | 270             | 204            | 135             | Multiple dependent claim                                |
| 109            | 78              | 209            | 39              | Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Typed or Printed Name

James J. Kelley

Signature

James J. Kelley

Date of Deposit

Aug 10, 2001

EM564070246US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

Printed Name

QUEEN THOMAS

Signature

Addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

Queen Thomas

Application Number

Filing Date

First Named Inventor

Hoffmann, James A

Group Art Unit

Examiner Name

Attorney Docket Number

X-12383N

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge-late filing fee or oath  |          |
| 127            | 50              | 227            | 25              | Surcharge-late provisional filing fee or cover sheet.                      |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for reexamination                                     |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                        |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                     |          |
| 116            | 390             | 216            | 195             | Extension for reply within second month                                    |          |
| 117            | 890             | 217            | 445             | Extension for reply within third month                                     |          |
| 118            | 1,390           | 218            | 695             | Extension for reply within fourth month                                    |          |
| 128            | 1,890           | 228            | 945             | Extension for reply within fifth month                                     |          |
| 119            | 310             | 219            | 155             | Notice of Appeal   |          |
| 120            | 310             | 220            | 155             | Filing a brief in support of an appeal                                     |          |
| 121            | 270             | 221            | 135             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |          |
| 140            | 110             | 240            | 55              | Petition to revive-unavoidable   |          |
| 141            | 1,240           | 241            | 620             | Petition to revive-unintentional   |          |
| 142            | 1,210           | 242            | 605             | Utility issue fee (or reissue)   |          |
| 143            | 430             | 243            | 215             | Design Issue Fee   |          |
| 144            | 580             | 244            | 290             | Plant Issue Fee  |          |
| 122            | 130             | 122            | 130             | Petitions to the Commissioner  |          |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                              |          |
| 126            | 240             | 126            | 240             | Submission of Information Disclosure Stmt.                                 |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per property (times number of properties) |          |
| 146            | 710             | 246            | 355             | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149            | 710             | 249            | 355             | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179            | 710             | 279            | 355             | Request for Continued Examination (RCE)                                    |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

Complete (if applicable)

Reg. Number

41,888

Date

9 August 2001